

3873. Adulteration of confectionery. U. S. v. Philip Wunderle. Plea of nolo contendere. Fine, \$5. (F. & D. No. 2860. I. S. No. 17510-c.)

On December 1, 1911, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Philip Wunderle, Philadelphia, Pa., alleging shipment by said defendant, in violation of the Food and Drugs Act, on March 10, 1911, from the State of Pennsylvania into the State of Georgia, of a quantity of confectionery which was adulterated. The product was labeled: "Manufactured solely by Ph. Wunderle, Philadelphia, Pa., U. S. A. Transparent Bird Eggs 5 Guaranteed by Philip Wunderle under the Food and Drugs Act June 30, 1906. Serial No. 26450. 'The Best' Trade Mark registered in the U. S. Patent Office."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Ash insoluble in water (per cent).....	0.036
Components of ash (per cent):	
SiO ₂	59.3
Fe ₂ O ₃ , Al ₂ O ₃	9.0
CaO.....	5.5
MgO.....	18.8
	<hr/> 92.6

CO₂ present in ash; substance used as coating is talc containing some clay, iron oxid, and carbonates.

Adulteration of the product was alleged in the information for the reason that it contained talc.

On March 15, 1915, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$5.

CARL VROOMAN, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., May 26, 1915.